



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 17, 2019

By ECF

The Honorable Deborah A. Batts
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Darrel Harris*, 19 CR 300 (DAB)

Dear Judge Batts,

The Government respectfully writes to request on a joint basis with the defendant a further extension of the motion schedule set by order of the Court on October 24, 2019. Since that date, based on further discovery from the Government, the defendant now believes that an additional sixty days is required to prepare and file his anticipated motion. Mindful of the defendant's detention, the Government requests a corresponding extension for its response of only thirty days, after which the defendant requests an additional fifteen days for his reply. With a corresponding adjournment of fifteen days or whatever length is most convenient for the Court for the conference on the fully-briefed motion, the revised schedule that the parties propose is set out below:

	<u>Current Schedule</u>	<u>Proposed Schedule</u>
Defendant's Motion	December 19, 2019	February 18, 2020
Government's Response	March 26, 2020	April 24, 2020
Defendant's Reply	April 30, 2020	May 15, 2020
Conference	June 2, 2020	June 19, 2020

DAB

With the consent of the defendant, the Government further respectfully requests that the Court exclude time under the Speedy Trial Act from April 30, 2020 through the date of any granted adjournment of the conference pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the defendant and the public in a speedy trial are outweighed here by the ends of justice served by allowing the defendant to prepare and file his motion, which is anticipated to raise a challenge of

SO ORDERED

Deborah A. Batts
DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

granted
DAB
12/19/19

first impression within this district to the admission of certain evidence relating to DNA, and for the parties to fully brief that motion before the Court.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

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cc: Robert Baum (Federal Defenders of New York, Inc.) (by ECF)
Christopher Flood (Federal Defenders of New York, Inc.) (by email)
Tamara Giwa (Federal Defenders of New York, Inc.) (by email)